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Counsel for Highland Capital Management, L.P.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	)	Chapter 11
	)	
HIGHLAND CAPITAL MANAGEMENT, L.P.,[1]	)	Case No. 19-34054-sgj11
	)	
Reorganized Debtor.	)	
	)	

DECLARATION OF JOHN A. MORRIS
IN SUPPORT OF REORGANIZED DEBTOR'S (A) OBJECTION TO
MOTION TO QUASH AND FOR PROTECTION [DOCKET NO. 3464] AND
(B) CROSS-MOTION TO ENFORCE SUBPOENAS AND TO COMPEL A DEPOSITION

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[1] Highland's last four digits of its taxpayer identification number are (8357). The headquarters and service address for Highland is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

I, John A. Morris, pursuant to 28 U.S.C. § 1746, under penalty of perjury, declare as follows:

1.   I am an attorney in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to Highland Capital Management, L.P., the reorganized debtor in the above-referenced bankruptcy case ("Highland"), and I submit this Declaration in support of the *Reorganized Debtor's (A) Objection to Motion to Quash and for Protection [Docket No. 3464] and (B) Cross-Motion to Enforce Subpoenas and to Compel a Deposition*. Unless stated otherwise, this Declaration is based on my personal knowledge and review of the documents listed below.

2.   Attached as **Exhibit 1** is a true and correct copy of an e-mail from counsel for NexPoint Real Estate Partners, LLC f/k/a HCRE Partners, LLC ("HCRE") to me dated July 8, 2022, in which HCRE's counsel agreed to accept service of subpoenas on behalf of James Dondero ("Mr. Dondero") and Matt McGraner ("Mr. McGraner").

3.   Attached as **Exhibit 2** are true and correct copies of e-mails exchanged between HCRE's counsel and me during the period August 9-10, 2022, concerning HCRE's late production of more than 4,000 pages of documents.

4.   Attached as **Exhibit 3** are true and correct copies of e-mails exchanged between HCRE's counsel and me on August 12, 2022, concerning HCRE's stated intention to withdraw its proof of claim.

5.   Attached as **Exhibit 4** are true and correct copies of e-mails I sent to HCRE's counsel during the period August 16-17, 2022, concerning certain subpoenas and a deposition notice in which I offered to make scheduling accommodations and sought confirmation that HCRE's counsel would accept service of the subpoenas as he had done previously.

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6.   Attached as **Exhibit 5** is a true and correct copy of an e-mail I sent to HCRE's counsel on July 27, 2022, in which I attached amended versions of the subpoenas which HCRE's counsel had previously accepted service (*see* Exhibit 1).

7.   Attached as **Exhibit 6** are true and correct copies of e-mails exchanged between HCRE's counsel and me during the period July 26-27, 2022, which reflect our agreement concerning the fixing of deposition dates for HCRE, Mr. Dondero, and Mr. McGraner.

8.   On August 15, 2022, I spoke with HCRE's counsel by phone and informed him that Highland would oppose the Motion to Withdraw. In response, HCRE's counsel informed me that neither Mr. Dondero nor Mr. McGraner nor HCRE would appear for the depositions that had consensually been scheduled for August 16 and 17, respectively.

Dated: September 2, 2022

/s/ John A. Morris
John A. Morris